



GP \$2776

Docket No. 53000.911

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of)
Dean Schiller and Paul Yanover)
Serial No: 09/458,849)
Filed: December 9, 1999)
For: METHOD AND SYSTEM FOR)
DISTRIBUTING PICTURE MAIL TO)
A FRAME DEVICE COMMUNITY)

Examiner: Not Assigned

Group Art Unit: 2776

TC 2700 MAIL ROOM

MAR -9 2000

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PETITION TO MAKE SPECIAL

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In accordance with 37 C.F.R. § 1.102(d) and MPEP § 708.02(II),
Applicants respectfully request that the above-referenced application, which has
not yet received any examination, be made special by the United States Patent
and Trademark Office.

The basis for this Petition is actual infringement. In support of this
Petition, attached hereto is a Declaration by Paul Yanover.

The appropriate fee as set forth in 37 C.F.R. § 1.17(i) is enclosed herewith.

Respectfully submitted,

THE HECKER LAW GROUP

Date:

3/3/00

By:

Gary A. Hecker

Reg. No. 31,023

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Suite 2300
Los Angeles, California 90067
(310) 286-0377

CERTIFICATE OF MAILING

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Patent, Washington, D. C., 20231 on March 3, 2000:

Lillian E. Rodriguez

Date

3-3-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Dean Schiller and Paul Yanover

Serial No: 09/458,849

Filed: December 9, 1999

For: METHOD AND SYSTEM FOR
DISTRIBUTING PICTURE
MAIL TO A FRAME DEVICE
COMMUNITY



Examiner: Not Assigned

Group Art Unit: 2786

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TC 2700 MAIL ROOM TC 2100 MAIL ROOM

DECLARATION OF PAUL YANOVER IN SUPPORT OF
PETITION TO MAKE SPECIAL

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

I, Paul Yanover, assignee in the above-referenced case, based on my personal knowledge, state and declare as follows:

1. With respect to the claims of the above-referenced patent application there is an infringing device, system, and method of use, which actually is on the market;

2. I have made a rigid comparison of the alleged infringing device/system and method with the claims of the application and determined that, in my opinion, some of the claims are unquestionably infringed; and

3. I have caused to be made a careful and thorough search of the prior art. Copies of references found in the search have been made of record.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

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TC 2100 MAIL ROOM

Respectfully submitted,

Date:

7/23/00

By:

Paul Yanover



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March 3, 2000

Signature

Date

Lillian E. Rodriguez